

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

THOMAS M. WILLAN AND
JULIA A WILLAN
4407 Vilas Hope Rd,
Cottage Grove WI 53527

Plaintiff,

CASE NUMBER 19-CV-345

vs.

Judge William M. Conley

NOTICE OF APPEAL

COUNTY OF DANE, DCZ,
JOE PARISI, TODD VIOLANTE,
ROGER LANE, PAM ANDROS,
SARAH JOHNSON
210 Martin Luther King Jr Blvd
Madison WI 53703

Defendants.

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs-Appellant, Thomas M Willan and Julia A Willan in the above-named case, hereby appeals to the United States Court of Appeals for the Seventh Circuit from the following:

(1) a Final Judgment in a Civil Case signed by District Judge William M. Conley and entered in this action on the 27th day of May 2020, Document 29, ORDER that the Defendants' (County of Dane, "DCZ," Joe Parisi, Todd Violante, Roger Lane, Pam Andros, and Sarah Johnson) motion for judgment on the pleadings (dkt. [9]) is GRANTED. The clerk of court is directed to enter final judgment in defendants'

favor. Plaintiffs' motion for issuance of subpoena (dkt. [16]) is DENIED as moot. Signed by District Judge William M. Conley on 05/27/2020. (rks),(ps)

(2) a Final Judgment in a Civil Case signed by District Judge William M. Conley and entered in this action on the 27th day of May 2020, Document 29, ORDER JUDGMENT entered in favor of Defendants dismissing the case. (rks),(ps) Signed by District Judge William M. Conley on 05/27/2020. (rks),(ps)

(3) an Opinion and Order signed by District Judge William M. Conley on the 6th day of April, 2021, and entered in this action on the 6th day of April 2021, Document 36, ORDER denying [31] Motion to Alter or Amend Judgment; denying [35] Motion to Rule. Signed by District Judge William M. Conley on 4/6/2021. (lam),(ps)

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "The Plaintiffs" or similar, written over a horizontal line.

PRO SE Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

THOMAS M. WILLAN AND
JULIA A WILLAN
4407 Vilas Hope Rd,
Cottage Grove WI 53527

Plaintiff,

CASE NUMBER 19-CV-345

vs.

Judge William M. Conley

DOCKETING STATEMENT

COUNTY OF DANE, DCZ,
JOE PARISI, TODD VIOLANTE,
ROGER LANE, PAM ANDROS,
SARAH JOHNSON
210 Martin Luther King Jr Blvd
Madison WI 53703

Defendants.

DOCKETING STATEMENT

SEVENTH CIRCUIT RULE 3(c) DOCKETING STATEMENT OF PLAINTIFF-APPELLANT
THOMAS AND JULIA WILLAN

Thomas M and Julia A Willan Plaintiffs-Appellant Pro Se, respectfully submits this Docketing Statement pursuant to Circuit Rule 3(c)(1) of the United States Court of Appeals for the Seventh Circuit.

I. DISTRICT COURT JURISDICTION. The United States District Court for the Western District of Wisconsin (the "District Court") has jurisdiction over the subject matter of this action pursuant to 42 U.S.C. § 1983, § 1985(3), 28 U.S.C. §§ 1331 and 1343. because it arises under the

laws of the United States and pursuant to 42 U.S.C. § 1983, § 1985(3) which provides for jurisdiction of civil rights actions. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) because the events giving rise to the dispute occurred in this district and Defendants reside in this district.

A. Statement of Jurisdiction for the United States District Court.

The original jurisdiction of the District Court is founded under 42 U.S.C. § 1983, § 1985(3), because Defendants, and each of them, acting under color of state law, have deprived Plaintiffs, and the members of the class of persons they represent, of rights secured under the United States Constitution.

This action arises under the, Fifth and Fourteenth Amendments to the United States Constitution. Accordingly, this Court has jurisdiction over the subject matter of this action under 28 U.S.C. § 1331 (federal question jurisdiction), 42 U.S.C. § 1343 (civil rights jurisdiction) and 28 U.S.C. § 1367 (supplemental jurisdiction).

Plaintiff-Appellant filed their pro se complaint with the United States District Court for the Western District of Wisconsin. Case: 19-CV-0345 Document: 1 Filed: 04/30/2019, the above named defendants were properly served and jurisdiction was not disputed in the above case.

(1) a Final Judgment in a Civil Case signed by District Judge William M. Conley and entered in this action on the 27th day of May 2020, Document 29, ORDER that the Defendants' (County of Dane, "DCZ," Joe Parisi, Todd Violante, Roger Lane, Pam Andros, and Sarah Johnson) motion for judgment on the pleadings (dkt. [9]) is GRANTED. The clerk of court is directed to enter final judgment in defendants' favor. Plaintiffs' motion for issuance of subpoena (dkt. [16]) is DENIED as moot. Signed by District Judge William M. Conley on 05/27/2020. (rks),(ps)

(2) a Final Judgment in a Civil Case signed by District Judge William M. Conley and entered in this action on the 27th day of May 2020, Document 29, ORDER JUDGMENT entered in favor of Defendants dismissing the case. (rks),(ps) Signed by District Judge William M. Conley on 05/27/2020. (rks),(ps)

(3) an Opinion and Order signed by District Judge William M. Conley on the 6th day of April, 2021, and entered in this action on the 6th day of April 2021, Document 36, ORDER denying [31] Motion to Alter or Amend Judgment; denying [35] Motion to Rule. Signed by District Judge William M. Conley on 4/6/2021. (lam),(ps)

B. Statement of Jurisdiction for the United States Court of Appeals.

The jurisdiction of the United States Court of Appeals for the Seventh Circuit is brought under 28 U.S.C. § 1291, in that this is an appeal from a final decision of the United States District Court for the Western District of Wisconsin dismissing the plaintiff's complaint and denying the plaintiffs timely filed 59E motion filed in the district court. The Judgment of the District Court granting the defendants motion to dismiss and denying the plaintiffs 59E motion, on plaintiff's claim of civil rights violation pursuant to 42 U.S.C. § 1983, § 1985(3), 28 U.S.C. §§ 1331 and 1343. The date of entry of the final judgment sought to be reviewed is entered May 27, 2020 the order granting Dismissal and April 6, 2021; was the denial of the 59E motion to amend, both a United States District Judge order. The appeal is from an order and final judgment that adjudicated all of the claims with respect to all parties, and no parties or issues remain in the District Court. Appellant did timely file a motion for alteration of the judgment. The notice of Appeal was filed on April 8, 2021.

II. THIS IS AN APPEAL OF AN IMMEDIATELY APPEALABLE FINAL

JUDGMENT. As noted above, the District Court entered a final appealable judgment on

April 6, 2021 denying plaintiffs-Appellant's motion to amend. This is a civil appeal as a matter of right pursuant to Federal Rule of Appellate Procedure 3(a) and Circuit Rule 3(a). The Plaintiffs-appellants timely filed a 59E motion to alter or amend. (4) Effect of a Motion on a Notice of Appeal.

(A) If a party files in the district court any of the following motions under the Federal Rules of Civil Procedure—and does so within the time allowed by these rules—the time to file an appeal runs for all parties from the entry of the order disposing of the last such remaining motion:

(iv) to alter or amend the judgment under Rule 59;

III. PRIOR OR RELATED APPELLATE PROCEEDINGS. There have been no prior or related appellate proceedings in this case.

IV. ADDITIONAL REQUIREMENTS OF CIRCUIT RULE 3(c)(1).

This is a civil case that does not involve any criminal convictions. 28 U.S.C. § 1915(g) is inapplicable. This case does not involve a collateral attack on a criminal conviction.

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "Daniel A. Villan", written over a horizontal line.

PRO SE Plaintiffs